

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

TIMOTHY LOUIS HERMANN and  
KAREN ELAINE HERMANN,

Plaintiffs,

v.

Case Number: 17 cv-60-JDP

DUNN COUNTY and DENNIS P. SMITH,

November 4, 2018

Defendants.

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PLAINTIFFS NOTICE OF APPEAL & STAY OF THE ALLEGED OPINION & ORDER OF JUDGE JAMES D. PETERSON  
AND PLAINTIFF'S OBJECTION TO BILL OF COST

**Suri juris** Plaintiffs, Timothy Louis Hermann and Karen Elaine Hermann give notice of appeal and stay of the alleged false opinion & order of Judge James D. Peterson. The Plaintiffs will be filing an appeal and stay with the Seventh Circuit Court of Appeals.

Plaintiffs' rebuttal/objection to the Bill of Costs, Doc.#116 is pursuant to:

1. Plaintiffs have a constitutionally secured right to file a lawsuit and that right can not be destroyed or harmed by unjust charges/costs by the defendants or by the Court. If a frivolous lawsuit was filed then it would be appropriate because then there was harm done to the defendants. It was never ruled by the Court that the Plaintiffs filed a frivolous lawsuit or one without standing/merit.
2. The Plaintiffs have **not** harmed or damaged the Defendants; however the Defendants did seriously damage/harm the Plaintiffs.
3. The defendant attorneys made those choices for deposition/court reporter. It was not required by law or the Court to have a deposition/court reporter. The Plaintiffs are not responsible for their choice of defense.
4. "PLAINTIFFS' REBUTTAL TO THE AFFIDAVIT OF JENNIFER M. LUTHER IN SUPPORT OF COSTS" Doc.#82 was never rebutted by Jennifer M. Luther. The Plaintiffs' deny the false accusations that it was immaterial. "An un rebutted affidavit/declaration stands as truth in law." A Principle of Law.
5. The Court did not take equity law in to consideration in this matter, even though the Court was constitutionally required to. Basically the Court was biased and unfair towards the plaintiffs. Per rule 38, the Plaintiffs did file a demand for trial by jury which the Court ignored. (Rule 38. Right to a Jury Trial; Demand (a) Right Preserved. The right of trial by jury as declared by the Seventh Amendment to the Constitution—or as provided by a federal statute—is preserved to the parties inviolate.)

The plaintiffs, Timothy Louis Hermann and Karen Elaine Hermann, do hereby affirm and declare this Notice is true and correct and are aware of the penalty of perjury.

Respectfully without prejudice,

  
Hermann family, Timothy Louis & Karen Elaine

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**CERTIFICATE OF SERVICE** This Notice was filed to the District Court's e-filing system.